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State of New Jersey

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FHWA-01-11130-13

U.S. Department of Transportation
Docket Management Facility
Room PL-401
400 Seventh Street, SW
Washington, DC 20590-0001

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DEPARTMENT OF TRANSPORTATION

RE: Docket # FHWA-2001-11130, Federal Highway Administration, 23 CFR Parts 630, Work Zone Safety, Advance Notice of Proposed Rulemaking (ANPRM); Request for Comments.

Dear Madam/Sir:

Thank you for the opportunity to comment on the proposed rulemaking regarding Work Zone Safety. The New Jersey Department of Transportation (NJDOT) adheres to all applicable standards, rules and guidelines to meet work zone safety. In addition, the Department recognizes that roadway construction projects can inconvenience motorists travelling through construction corridors, disrupt businesses located in close proximity and can result in increasing substantial user costs. Recognizing these impacts, the Department has adopted a comprehensive Traffic Mitigation Planning and Implementation Program. The program objectives are to:

- Balance the Department's need to minimize roadway construction costs with the need to minimize construction-related inconvenience for motorists, bicyclists, pedestrians, local residents, businesses and other stakeholders.
- Ensure that traffic mitigation needs are addressed systematically in all projects.
- Provide adequate lead-time for departmental staff and outside partners charged with implementing traffic mitigation strategies to prepare for their responsibilities.
- Maintain high visibility for traffic mitigation throughout the project planning and design process.
- Ensure that funding for traffic mitigation is programmed early in the planning process.
- Clarify roles and responsibilities for traffic mitigation.

These above objectives are integrated into the Department's project development process, which includes the following steps: Concept Development, Feasibility Assessment, Final Scope Development, Final Design, and Construction Review of Effectiveness.

Drawing upon our experience in work zone safety and traffic mitigation, we offer the following comments which correspond to question numbers on the Advance Notice of Proposed Rulemaking.

1. There should be a general national and state policy to promote work zone safety and mobility at highway construction sites. Incorporating such policy into regulations presents concerns since work zones differ based upon local condition. The national and state policies should allow professional engineers to practice sound work zone safety that meets local conditions. Guidelines rather than regulations are the preferred method for this endeavor.
2. The current provisions are deemed inadequate. We suggest FHWA establish minimum guidelines for temporary traffic control training.
3. Work zone guidelines should be stratified to reflect varying levels and durations of risk to road users and workers and disruptions to traffic. The appropriate stratification factors are road classification, expected capacity reduction and duration.
4. There should be one definition for work zone safety to bring about uniformity.
5. The impact to road users due to construction and maintenance can be addressed through comprehensive traffic mitigation planning and implementation. In addition, the implementing agency should take advantage of road closure to complete other work such as maintenance activities.
6. Metropolitan and State Planning process should adopt capital investment strategy. NJDOT's capital investment strategy is a performance-based capital programming mechanism that links broad transportation goals and policies to specific investment choices. The impact of construction and maintenance projects on road users is best addressed at the state level.
7. See answer to question six.
8. FHWA can collaborate with state and local transportation authorities to develop acceptable incentives that can be funded. As a team member early in the project development process, FHWA can significantly contribute toward the solutions sought.
9. User costs can be estimated using various software programs. These costs are usually staggering sums and must be used as one tool for effectively evaluating the proposed design alternatives. It should not be a major factor in determining the final alternative.
10. Contractors should be given the flexibility to complete utility work during their construction sequence with the utility companies providing the inspection of completed work.
11. Traffic Control Plans (TCPs) should be integrated with traffic mitigation plans. NJDOT's Traffic Mitigation Planning and Implementation Program objectives are listed above.
12. TCPs should recommend the need for security measures.
13. TCP configurations should continue to maintain or make reasonable alternative for any ADA design features in place before commencement of construction.

14. Engineers and contractors currently prepare the TCP. Only qualified, experienced and approved personnel should prepare the plan.
15. Mobility and safety audits are recommended. Safety inspections should be performed regularly with dedicated staff to maintain the integrity of the TCP. All inspections must be documented and corrective action implemented.
16. Public communication and outreach are essential. The following tools can be used as needed: Fax network, web pages, newsletters and brochures, information letters, community/employer meetings, news releases/media alerts, telephone hotline, paid advertisements, posters and billboards, public information center and highway advisory radio.
17. Public communication plans should start at feasibility assessment stage and follow through final scope development, final design and construction review.
18. State transportation agencies may voluntarily report statistics to FHWA if a simple uniform format were available. Another approach is to share best practices and/or lessons learned to avoid unwieldy data collection.
19. Traffic mitigation performance measures such as delays, queue-lengths and speed are the most important and a voluntary statistics program should be developed.
20. The measures are appropriate, but the methods to gather the data are labor intensive and costly.

Thank you for your kind consideration of the aforementioned comments.

Sincerely,


Dennis Keck
Assistant Commissioner
Capital Program Management